

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II

2016 APR -7 AM 11:05

STATE OF WASHINGTON

BY DEPUTY

STATE OF WASHINGTON

Respondent,

v.

Daniel Lee Rouse
(your name)

Appellant.

No. 47589-8-II

STATEMENT OF ADDITIONAL
GROUND FOR REVIEW

I, Daniel Rouse, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

Mister Rouse wishes to raise the issue of the possibility of a Cost bill for his appeal in the event he is not the prevailing party Citing State v. Sinclair Die Washington 2016 Lexis 119 No. 72102-0-1 He was found indigent at trial and only the mandatory LFO's were imposed as any additional I would have caused undue hardship to him and his family, and cause increased difficulty in reentering Society.

Additional Ground 2

Violation of Due Process Rights: There are two rules the Court violated/disregarded. The procedures established in Rule 3.2.1 Procedure following Warrantless arrest - Preliminary hearing and Rule 4.1 Arraignment. Objections Raised at First Superior Court (10-20-14) appearance (Arraignment) Motion to Dismiss Filed Second Court Appearance and objection to violations Raised again (11-13-14) Reserved for trial date and denied on that date RP Page 2 Line 14-25

(Continued on additional pages Attached)

If there are additional grounds, a brief summary is attached to this statement.

Date: 4-4-16

Signature: Daniel Lee Rouse

Statement of Additional Grounds

Table of Authorities

Cases

State v. Wright, 51 Wn.2d 606, 320 P.2d 648 (1958)

State v. Bradford, 95 Wn. App. 935, 978 P.2d 542 (1999)

State v. Alton, 575 P.2d 234, 89 Wn.2d 737 (1978)

State v. Iniguez 180 P.3d 855 Wash. App. D.V. 3 (2008)

United States v. Loud Hawk 474 U.S. 302, 310, 111 S.Ct. 648 881 F.2d 640 (1996)

Higley, 78 Wash. App. at 184, 902 P.2d 659

United States v. Marion, 404 U.S. 307 320, 92 S.Ct. 455, 301 F.2d 468 (1971)

Dillingham v. United States 423 U.S. 64, 65, 96 S.Ct. 1303, 46 L.Ed.2d 197 (1975)

Corrado 94 Wash. App. at 237, 972 P.2d 515 (1999)

Loud Hawk 474 U.S. at 310, 106 S.Ct. 648

Marion 404 U.S. 320, 92 S.Ct. 455

Statutes

RCWA 10.16.110

GR 15 3.2.1 (9)(3) (9)(1)

4.1 (a)(1)

3.3

Statement Additional Grounds

^{RP}
Page 3 Lines 1-12 Copy of Motion to dismiss
Attached 4 pages Appendix A (Additional pages 6-9 of 31)
Rule 3.2.1 Procedure at the Preliminary hearing

① A preliminary appearance hearing is held within 48 hours and probable cause is determined per CrRLJ 3.2.1(g)

② If PC is found the KCDC does not bind the defendant over to the Superior Court as required by CrRLJ 3.2.1(g)(1). CrRLJ 3.2.1(g)(1) states in part "If the court finds probable cause, the court shall bind the defendant over to the Superior Court."

When an affirmative determination of probable cause is made the Supreme Court has held that "The Justice of the peace must bind the accused over to the Superior Court for trial, since the Superior Court has exclusive jurisdiction to try the felony case" State v. Wright, 51 Wn. 2d 606, 320 P.2d 648 (1958)

The only provision to defer the bind-over of the defendant to the Superior Court after PC is found requires a written stipulation by both parties as found in 3.2.1(g)(3)

Instead the court schedules a felony status hearing out (14) days and a bind over hearing out (28) days.

(See Attached Flow Chart Appendix B (Additional pages 10-11 of 31)) It then issues an order mandating the defendant to appear at these hearings (Attached Appendix C Additional pages 12-13 of 31) However if the defendant is in custody he is denied attendance, even if he requests to be present (as in my case)

During this period there is limited if any communication with the public defender.

Absent a written stipulation, there is no jurisdiction for a status or bind-over hearing in the 3.2.1 rules.

Additional Page 1 of 31

Statement Additional Grounds

The primary purpose of the preliminary appearance are a judicial determination of probable Cause and Judicial review of the condition of release. CrRLJ 3.2.1 State v. Bradford, 95 Wn. App. 935, 978 p.2d 542 (1999)

In scheduling out the bind-over hearing date four weeks after the preliminary appearance in which it found PC and not getting a written for a deferment of the bind over date pursuant to CrRLJ 3.2.1(g)(3) the Court violated my due process rights.

Rule 4.1 Arraignment

The KCDC maintained Jurisdiction when it failed to bind me over to the Superior Court after finding PC pursuant to CrRLJ 3.2.1(g)(1).

An information was not filed in the Superior Court until (26) days after PC was found. Jurisdiction did not vest in the Superior Court until the information was filed per CrRLJ 3.2.1(g)(1).

In following the Flow Chart (Appendix B) designed by the KCPO, the Fepu (Felony Early Plea Unit) and KCDC feign no attempt to comply with the CrRLJ 3.2.1(g)(1) rule in regard to the requirement of "filing an information without unnecessary delay." or RCWA 10.16.110, Statement of prosecuting Attorney if information filed Court action.

CrRLJ 4.1(g)(1) reads in part "The defendant shall be arraigned not later than (14) days after the date the complaint or citation and notice is filed in Court, if the defendant is (i) detained in a County or city jail in the County where the charges are pending."

The Court held two Subsequent hearings after

Statement Additional Grounds

My preliminary appearance, while I was in and under the jurisdiction of the KDC, yet it made no attempt to arraign me pursuant to CrRLJ 4.1(a)(1). The procedures administered by the KDC violated my constitutional rights. The court was adhering to policies established by the prosecutor in 2010 designed to pressure the defendant into a plea agreement by denying him due process.

The Supreme Court decided "The State cannot invoke the power of the court to command the defendant into a formal court proceeding and then ignore the process which it has initiated. Such action makes the preliminary hearing meaningless if prosecutor chooses to abuse it. It also has the potential of harassment of the defendant, his counsel and the judicial process itself, serving no useful purpose." State v. Alton, 575 P.2d 234, 89 Wn. 2d 737 (1978)

Of further note, Tina Robinson, Kitsap County newly elected prosecutor, used as one of her campaign platforms her concern of the legality of the way the district court was being used in felony cases. This legitimate concern helped her unseat the 20 year incumbent Russ Haugue, and since taking office this year has discontinued the bind-over process. The KCPO was intentionally using this process to violate defendants rights to due process and speedy trial and arraignment. Deliberate manipulation of the court rules is blatant prosecutorial misconduct. The initial charging documents filed in District Court #17051409P on September 19, 2014 with a

Statement of Additional Grounds

Superior Court of Kitsap County Heading on the title page and a District Court case number contains a "Certification for Determination of probable Cause With a Kitsap County District Court NO 17051# 09 P Dated September 19, 2014 (Appendix D) page 14-28 of 31) These Charging Documents Charge the Same felony RCW VNCO as the ones filed in Superior Court (26) days later Superior Court No. 14-1-01-023-9 Cite all information as Felony the only Difference is the prosecutors Name. (Appendix E ^{Additional} Page 22-31 of 31 Which is further proof the Defendant should have been bound over to Superior Court at an earlier date.

This process adopted is further a violation of defendant's Constitutional Right to a Speedy trial. Which States "the Speedy trial Right attaches itself at the time of arrest, or indictment whichever occurs first Regardless of formal Charges filed or not." State V. Corrado 94 Wash App. 228, 237, 972 P.2d 515 (1999) Citing: United States V. Lound Hawk 474 U.S. 302, 310-11 106 S.Ct. 648 88 L.Ed. 2d 640 (1986) (Citing Higley, 78 Wash. App. 184, 902 P.2d 659) United States V. Marion 404 U.S. 307, 320 92 S.Ct. 455, 301 Ed. 2d 468 (1971); Dillingham V. United States 422 U.S. 64, 65, 96 S.Ct. U.S. 64, 65, 96 S.Ct. 303 46 L.Ed. 2d 1975. "Thus Even When no formal Charge is pending the Restraint of an arrest triggers Sixth Amendment Speedy trial protections" State V. Corrado 94 Wash App. at 237, 972 P.2d 515 (1999) (Citing Lound Hawk 474 U.S. 310, 106 S.Ct. 648 (Citing Marion 404 U.S. 320, 92 S.Ct. 455 Also in State V.

Additional page 4 of 31

Statement of Additional Grounds

Iniguez, 180, P.3d 855 Wash. Court of Appeals Div 3 (2008) I doubt when the Amendment to Rule 3.3 was enacted in 2003 remove the wording of "time elapsed in district Court to be computed in to time for trial it was a license for the KCPO to abuse district Court Preliminary hearing "Felony bind over process to violate defendants Speedy trial rights so they could have 90 days instead of 60 days to tri in custody defendants. Therefore the defendant Respectfully Requests the dismissal of his Charges

Thank you

Daniel Lee Rouse

Paul L. M. #953924

4-4-16

APPENDIX A

Appendix
A

Proof of Service

Cause No. 14-1-01023-9

I Daniel Lee Rouse am serving
Kitsap County Superior Court Judge,
Clerk, Prosecuting Attorney and or any
of their agents, or deputies, and my public
defender of record copies of my Motion to
dismiss filed off, or about November 13, 2014
in open Court by hand

I certify under penalty of perjury
under the laws of the State of Washington
the foregoing is true and correct to the
best of my knowledge and belief, and in formatio

Daniel Lee Rouse
signature

Daniel Lee Rouse
Printed

Dated: 11-13-14

Place: Kitsap County, Port Orchard Washington

Superior Court of the State
of Washington in and for the County
of Kitsap

State of Washington }
Plaintiff }

Cause NO. 14-1-01023-9

Daniel Lee Rouse }
Defendant }

Motion to Dismiss

Comes now the defendant
with this motion to dismiss Charges based
on a violation of the Sixth amendment 60
day in Custody Speedy trial rights. According
to the United States Constitution and the
State of Washington Court Rule CrR 3.3

The defendant Daniel Lee Rouse was arrested
on or about September 18 2014.

His first Superior Court hearing is/was
Scheduled for November 13 2014 and the trial
date is/was set for December 15, 2014

These dates were entered on October 20, 2014
with a formal objection raised in open Court

The Sixth Amendment of the United States Constitution guarantees in custody defendants to be tried within 60 days of arrest. Regardless of whether formal charges are filed or not. Not from the day Charges are filed.

Today November 27, 2014 is the 70th day of the defendant Daniel Lee Rouse's incarceration. Further incarceration is a blatant disregard for the defendants Constitutional right to a speedy trial, and Washington State Court rule CrR 3.3.

In State V. Iniguez, 180 P.3d 855-Wash. Court of Appeals Div 3 2008, In which the conviction of the defendant was overturned for Sixth Amendment Speedy trial Rights Violation. Subsection 21 states The Right to Speedy trial afforded by the Sixth Amendment attaches when a charge is filed or an arrest made that holds one to answer a Criminal Charges. Which ever occurs first. State V. Corrado, 94 Wash. App. 228, 237, 972 P.2d 515 (1999) Citing United States v. Loud Hawk 474 U.S. 302, 310-11, 106 S.Ct. 648 881. Ed 2d 640 (1986); Citing Higley, 78 Wash. App. at 184, 902 P.2d 659) United States V

Marion, 404 U.S. 307, 320, 92 S.Ct. 455, 301 Ed. 2d 468 (1971); Dillingham v. United States 473 U.S. 64, 65, 96 S.Ct. 455, 96 S.Ct. 303, 46 L.Ed. 2d (1975)

"Thus Even when no formal Charge is pending the restraint of an arrest triggers Sixth Amendment Speedy trial protections." ¹⁰¹
Conrado, 94 Wash. App. at 237, 972 P.2d 515. (Citing Loud Hawk, 474 U.S. at 310, 106 S.Ct. 648 (Citing Marion 404 U.S. 320, 925, Ct. 455)

Therefore the defendant Respectfully Submits this motion to dismiss to the Court and requests the dismissal of formal Charges based on the Violation of the Sixth Amendment Speedy trial Rights.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and Correct to the best of my Knowledge here in open Court.

Dated: 11-13-14

Place: Kitsap Co. Port Orchard Washington

Daniel Lee Rouse
Signature

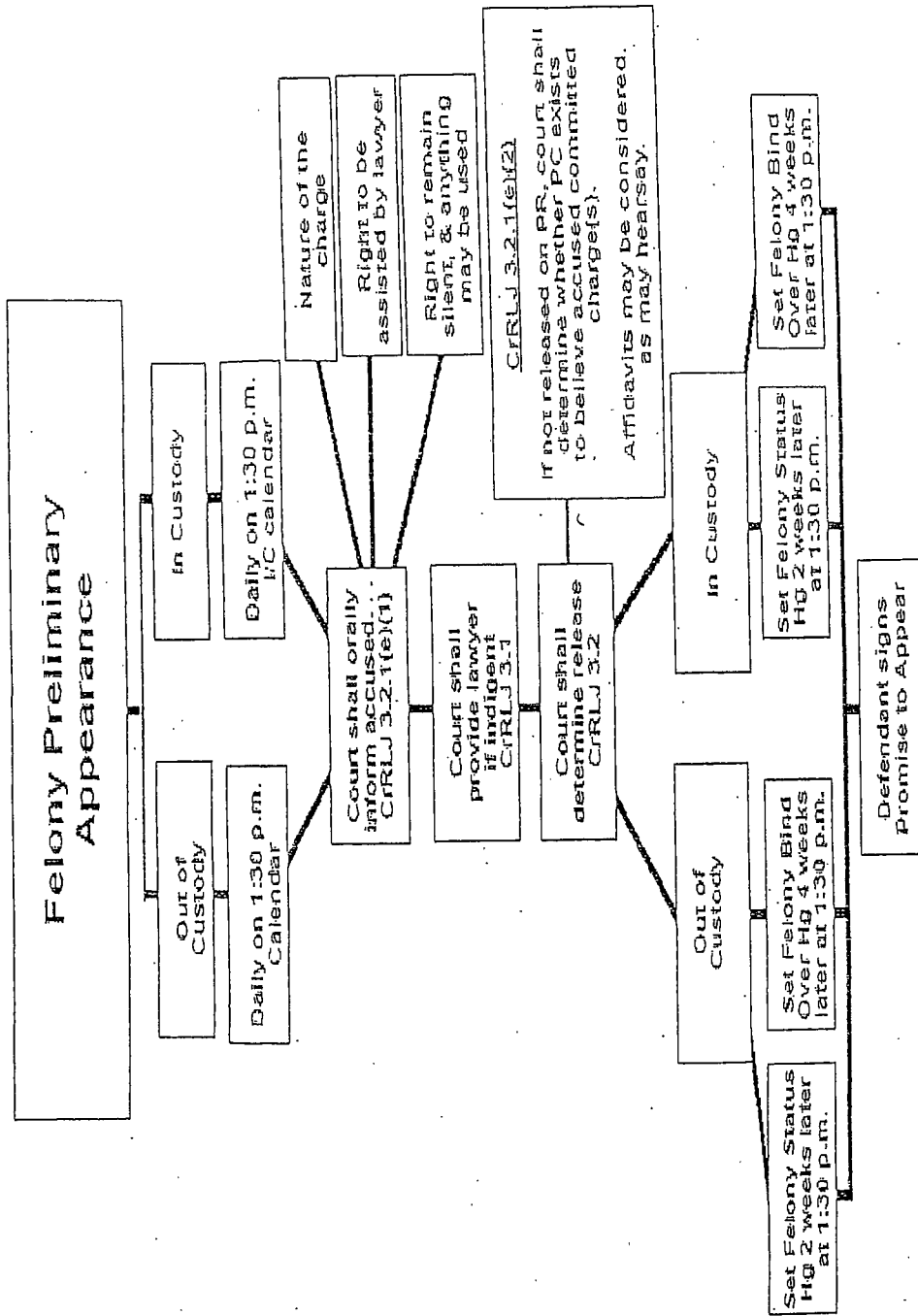
Daniel Lee Rouse
Printed
Page 3 of 3

APPENDIX-B

Felony Preliminary Appearances in District Court

March 1, 2010

- Chiefs Drury & Bradley to introduce the plan
 - All Felony Level Cases (except Juvenile) to run through District Court first.
- Padmos – Moves to discuss file flow, other.
- Work the process together
- Ask questions!!!!



APPENDIX-C

KITSAP COUNTY DISTRICT COURT, STATE OF WASHINGTON

STATE OF WASHINGTON	Plaintiff,	No. <u>17051409P</u>
<u>ROUSE, DANIEL L</u>	v.	ORDER OF RELEASE AND SETTING COURT DATES
	Defendant.	FELONY

RELEASE

- ☒ IT IS ORDERED that the defendant is released until the matter is resolved on the following conditions:
- ☒ Upon posting a bail/bond for \$ 175,000 ☐ Upon promise to appear ☐ bail previously ordered/posted.
 - ☐ Defendant shall post bail at the next hearing unless all outstanding bench warrants are cleared.
 - ☐ Bail/Bond posted in this matter is hereby exonerated.
 - ☐ Defendant shall not possess or consume any alcohol.
 - ☐ Defendant shall not possess or consume any marijuana.
 - ☐ Defendant shall not drive any motor vehicle unless it is equipped with a functioning ignition interlock device, and either the defendant or the certified interlock provider shall file written proof of installation within five business days.
 - ☐ Defendant shall not initiate contact, approach or communicate by any means whatsoever with
 - ☐ Defendant shall
 - ☐ **Defendant shall immediately report to the Kitsap County Jail to be administratively booked.**
 - ☒ **Defendant shall follow all previously ordered conditions, which remain in effect.**
 - ☒ Defendant shall notify the court in person or in writing of any change of residence or mailing address and telephone number. The Defendant shall remain in contact with his or her attorney. The Defendant shall appear at future court dates or probation appointments without having consumed alcohol or any non-prescribed drugs.
 - ☒ Defendant shall have no criminal law violations.
 - ☐ Defendant shall screen today for a court appointed attorney and keep all appointments with the attorney.
 - ☐ Defendant need not appear if in compliance with previous court orders. A bench warrant may be issued, however, if Defendant fails to appear and is not in compliance with previous court orders.

COURT DATES

- ☒ IT IS ORDERED that the defendant shall appear before the court on the following date(s):
- ☐ Arraignment ☒ Felony Status ☐ Pre-Trial Hearing ☐ Sentencing ☒ Felony Bind Over
 - ☐ Revocation of Felony Diversion ☐ Review of Felony Diversion

OCTOBER 2, 2014 AT 8:30 AM / OCTOBER 16, 2014 AT 8:30 AM

- ☒ Courtroom 104 ☐ Courtroom 201 ☐ Superior Courtroom 212
- ☐ Courtroom 105 **Arraignment/Change of Plea**

- ☒ Probable Cause Found
- ☒ Done in open court in the presence of the Defendant, and Defendant has received a copy.

DATED AND FILED SEPTEMBER 19, 2014

DEFENDANT

JUDGE

WARNING: IF DEFENDANT FAILS TO COMPLY WITH ANY OF THE ABOVE, A BENCH WARRANT MAY BE ISSUED.

KITSAP COUNTY DISTRICT COURT, STATE OF WASHINGTON

STATE OF WASHINGTON,	NO. <u>17051409P</u>
Plaintiff,	MOTION AND ORDER APPOINTING OR SUBSTITUTING COUNSEL
vs.	
<u>ROUSE, DANIEL L</u>	
Defendant.	

MOTION

The defendant moves the court for representation by a court-appointed attorney, and states that he/she is financially unable to obtain a lawyer without causing substantial hardship to himself/herself or to his/her family.

ORDER

The court having reviewed the defendant's financial ability to retain counsel, it is hereby

- ☐ ORDERED that the previously appointed counsel is hereby withdrawn due to a conflict between the previously appointed counsel and defendant, and it is hereby
- ☒ ORDERED that the Kitsap County Office of Public Defense is hereby appointed and ordered to represent the defendant in the above cause(s) until the court enters judgment and sentence or enters an order of dismissal during the time this matter is pending in District Court, and may include representation of the defendant after the matter is bound over to Superior Court if there is an agreed resolution. However, in the event that this matter is bound over to Superior Court and the defendant is arraigned on a felony charge and the matter is set for trial, representation by this appointed counsel will cease.
- ☒ ORDERED that this assignment of a lawyer is conditioned upon payment of defense lawyer's fees and the cost of other defense services in the event defendant becomes able to pay them.
- ☒ ORDERED that the defendant shall pay the cost of appointed counsel in the amount of \$310.00 within 60 DAYS, based upon this court's finding that the defendant has the ability to pay said cost.

DATED AND FILED SEPTEMBER 19, 2014.

- ☐ General Appointment
- ☐ Motion to Revoke
- ☒ Other: FELONY
- ☐ Other: _____

KLD
O.B.O. - JUDGE

APPENDIX-D

Appendix D

IN THE KITSAP COUNTY SUPERIOR COURT

STATE OF WASHINGTON,)
) No. 17051409P
Plaintiff,)
) FELONY COMPLAINT
v.)
) (Total Counts Filed – 1)
DANIEL LEE ROUSE,)
Age: 51; DOB: 01/26/1963,)
)
Defendant.)

COMES NOW the Plaintiff, STATE OF WASHINGTON, by and through its attorney, CAMI G. LEWIS, WSBA NO. 30568, Deputy Prosecuting Attorney, and hereby alleges that contrary to the form, force and effect of the ordinances and/or statutes in such cases made and provided, and against the peace and dignity of the STATE OF WASHINGTON, the above-named Defendant did commit the following offense(s)–

Count I **Violation of a Court Order [Felony]**

On or about September 18, 2014, in the County of Kitsap, State of Washington, the above-named Defendant, with knowledge that the Bremerton Municipal Court had previously issued a foreign protection order, protection order, restraining order, no contact order, or vulnerable adult order pursuant to municipal code in Cause No. 50163708, did violate said order by knowingly violating the restraint provisions therein, and/or by knowingly violating a provision excluding him or her from a residence, a workplace, a school or a daycare, and/or by knowingly coming within, or knowingly remaining within, a specified distance of a location, and/or by

CHARGING DOCUMENT; Page 1 of 4



Russell D. Hauge, Prosecuting Attorney
Special Assault Unit
614 Division Street, MS-35
Port Orchard, WA 98366-4681
(360) 337-7148; Fax (360) 337-4949
www.kitsapgov.com/pros

Additional Page 14 of 31

Appendix D

1 knowingly violating a provision of a foreign protection order for which a violation is specifically
2 indicated to be a crime; and furthermore, the Defendant did have at least two prior convictions for
3 violating the provisions of a court order issued under Chapter 10.99, 26.09, 26.10, 26.26, 26.50,
4 26.52, and/or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020;
5 contrary to Revised Code of Washington 26.50.110.

6 (MAXIMUM PENALTY-Five (5) year in imprisonment and/or \$10,000 fine, pursuant to RCW
7 26.50.110(5) and RCW 9A.20.021(1)(c), plus restitution, assessments and court costs.)

8 JIS Code: 26.50.110.5 Protection Order Vio/Over 2 Conv

Special Allegation-Domestic Violence

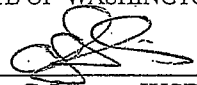
10
11 AND FURTHERMORE, the Defendant did commit the above crime against a family or
12 household member; contrary to Revised Code of Washington 10.99.020. "Family or household
13 members" means spouses, former spouses, persons who have a child in common regardless of
14 whether they have been married or have lived together at any time, adult persons related by blood
15 or marriage, adult persons who are presently residing together or who have resided together in the
16 past, persons sixteen years of age or older who are presently residing together or who have
17 resided together in the past and who have or have had a dating relationship, persons sixteen years
18 of age or older with whom a person sixteen years of age or older has or has had a dating
19 relationship, and persons who have a biological or legal parent-child relationship, including
20 stepparents and stepchildren and grandparents and grandchildren.

21 I certify (or declare) under penalty of perjury under the laws of the State of Washington
22 that I have probable cause to believe that the above-named Defendant committed the above
23 offense(s), and that the foregoing is true and correct to the best of my knowledge, information and
24 belief.

25 DATED: September 19, 2014

26 PLACE: Port Orchard, WA

STATE OF WASHINGTON


27 CAMI G. LEWIS, WSBA No. 30568
28 Deputy Prosecuting Attorney

29 All suspects associated with this incident are-

30 Daniel Lee Rouse
31

CHARGING DOCUMENT; Page 2 of 4



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Additional Page 15 of 31

DEFENDANT IDENTIFICATION INFORMATION

DANIEL LEE ROUSE
1223 11th Street #3
Bremerton, Wa 98337

Alias Name(s), Date(s) of Birth, and SS Number

Daniel Lee Bauer, 01/26/1963
Daniel Nmi Rouse, 01/26/1963
Daniel Lee Use, 01/26/1963
Daniell Nmi Use, 01/26/1963
Daniell Nmi Bauer, 01/26/1963
Dan Nmi Rouse, 01/26/1963
Daniel L. Rousse, 01/26/1963

[Address source—Pursuant to CrRLJ/CrR 2.2, Complainant has attempted to ascertain the Defendant's current address by searching the Judicial Information System (JIS formerly called DISCIS) database, Department of Licensing abstract of driving record, Department of Corrections Felony Offender Reporting System, Kitsap County Jail records and law enforcement report]

Race: White Sex: Male DOB: 01/26/1963 Age: 51
D/L: ROUSEDL377B6 D/L State: Washington SID: WA13039196 Height: 508
Weight: 200 JUVIS: Unknown Eyes: Hazel Hair: Brown
DOC: Unknown FBI: 86727CA3

LAW ENFORCEMENT INFORMATION

Incident Location: 1223 11th Street, Bremerton, WA 98312
Law Enforcement Report No.: 2014BP007825
Law Enforcement Filing Officer: Kent A. Mayfield, 442
Law Enforcement Agency: Bremerton Police Department - WA0180100
Court: Kitsap County District Court, WA018013J
Motor Vehicle Involved? No
Domestic Violence Charge(s)? Yes
Law Enforcement Bail Amount? Unknown

CLERK ACTION REQUIRED

In Custody

Appearance Date If Applicable: N/A

PROSECUTOR DISTRIBUTION INFORMATION

Superior Court	District & Municipal Court
Original Charging Document— Original +2 copies to Clerk 1 copy to file	Original Charging Document— Electronically filed with the Clerk Original +1 copy to file
Amended Charging Document(s)— Original +2 copies to Clerk 1 copy to file	Amended Charging Document(s)— Electronically filed with the Clerk Original +2 copies to file

CHARGING DOCUMENT; Page 3 of 4



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Appendix D

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Prosecutor's File Number-14-170514-9

CHARGING DOCUMENT; Page 4 of 4



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Additional Page 17 of 31

Appendix D

Sep. 19. 2014 7:30AM

Bremerton Police-Detectives

No. 6850 P. 2

Incident / Investigation Report

OCA: B14-007825

Bremerton Police Dept

CODES: DE-Deceased, DR-Driver, MN-Mentioned, MP-Missing Person, OT-Other, OW-Owner, PA-Passenger, PT-Parent/Guardian, RA-Runaway, RO-Registered Owner, RP-Reporting Party, VI-Victim		Victim of Crime #	Age / DOB	Race	Sex
Code	Name (Last, First, Middle)				
Home Address		Home Phone	Cell Phone		
Employer Name/Address		Business Phone			
Code	Name (Last, First, Middle)	Victim of Crime #	Age / DOB	Race	Sex
Home Address		Home Phone	Cell Phone		
Employer Name/Address		Business Phone			

On 09/18/2014 at about 0121 hours Kimball-Rouse reported that Daniel Rouse (her husband) violated a no contact order by contacting her at 1223 11th Street apartment three and left on foot through her back yard to 10th Street.

On 09/18/2014 at about 0122 hours Cencom dispatched the call.

On 09/18/2014 at about 0124 hours I met Mandala standing on her porch next door to 1223 11th Street (1221 11th Street). Mandala said she was awakened by Kimball-Rouse and Daniel Rouse yelling at each other. Mandala said Daniel Rouse was wearing all dark clothing and ran into the backyard towards 10th Street.

I met Kimball-Rouse at her apartment. She said that Daniel Rouse knocked on her door and wanted her to let him inside. She refused and was calling 911 and he left on foot into the back yard.

Kimball-Rouse described Daniel as wearing a dark coat with a black hooded sweatshirt under it and blue jeans shorts and black tennis shoes.

I confirmed there is a valid served Bremerton Municipal Court no contact order number 50163708 prohibiting Daniel Rouse from contacting in any way or coming within 500 feet of Kimball-Rouse's residence.

I could not locate Daniel Rouse.

Kimball-Rouse has no idea where Daniel Rouse is staying or would go. They have recently been evicted from 1223 11th Street number three.

I could see Kimball-Rouse had thrown all of Daniel Rouse's power tools out in the yard. She did not tell me this, but had told the dispatcher this was why he was there and angry with her.

There is probable cause to arrest Daniel Rouse for violation of a no contact order.

I request report to city attorney for charging.

Appendix D

Sep. 19. 2014	7:30AM	UND	Bremerton Police-Detectives	THE LAWS OF THE STATE No. 6850	INGP. 3
THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.					
<i>[Signature]</i>		442	09/18/14	0545 hour	
(Signature, Date)					
(442) MAFFIELD, KENT A					
KITSAP COUNTY, WA					
					B14-007825

Sep. 19. 2014 7:30AM Brementon Police-Detectives

09/19/2014 No. 6850 P. 4

RCW 26.50.110(5)

BREMERNTON MUNICIPAL COURT
KITSAP COUNTY WASHINGTONMailing Address: 550 Park Ave.
Bremerton, WA 98337

City of Bremerton,

Plaintiff,

Daniel Lee Rouse
Defendant.

No.

50163708

DOMESTIC VIOLENCE NO CONTACT ORDER

- ☐ Pre-Trial
☐ Order Modifying Pre-Trial Order
☒ Post Conviction
☐ Order Modifying Post Conviction Order
☐ Order Rescinding No Contact Order
 (Clerk's Action Required)

1. Based upon the certificate of probable cause and/or other documents contained in the case record, testimony, and the statements of counsel, the court finds that the defendant has been charged with, arrested for, or convicted of a domestic violence offense, and further finds that to prevent possible recurrence of violence, this Domestic Violence No-Contact Order shall be entered pursuant to chapter 10.99 RCW. This order protects:

Renee Kimball Rouse
(Protected person's name, or if a minor initials and DOB) (Only one protected person per order)

2. The court further finds that the defendant's relationship to the person protected by this order is:

- ☒ current or former spouse
☐ parent of a child in common regardless of whether they have been married or have lived together at any time
☐ adult persons related by blood or marriage
☐ adult persons who are presently residing together or who have resided together in the past
☐ persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship
☐ persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship
☐ persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren
☐ current or former cohabitant as intimate partner
☐ current or former cohabitant as roommate

IT IS ORDERED THAT THE DEFENDANT IS PROHIBITED FROM:

- A. Causing or attempting to cause physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking the protected person.
- B. Coming near and from having any contact whatsoever, in person or through others, by phone, mail or any means, directly or indirectly, except for mailing service of process of court documents by a third party or contact by defendant's lawyers with the protected person(s), other than:
- C. Entering or knowingly coming within or knowingly remaining within ~~500 feet~~ ☒ 250 of the protected person's residence, school, workplace, daycare, and
- D. ☐ Obtaining or possessing a firearm, other dangerous weapon or concealed pistol license. (Pretrial Order)
The court makes the following findings pursuant to RCW 9A.1.300 by a preponderance of the evidence:
- ☐ the defendant used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or
☐ the defendant previously committed an offense that makes him or her ineligible to possess a firearm under the provisions of RCW 9A.1.040, or
☐ possession of a firearm or other dangerous weapon by the defendant presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.
- E. ☒ Obtaining, owning, possessing or controlling a firearm. (Conviction of offense listed in RCW 9A.1.040(2)).

IT IS FURTHER ORDERED THAT:

- F. ☒ The defendant shall immediately surrender all firearms and other dangerous weapons within the defendant's possession or control and any concealed pistol license to: ☐ Bainbridge Island Police Department
☒ Bremerton Police Department ☐ Kitsap County Sheriff's Office ☐ Port Orchard Police Department
☐ Poulsbo Police Department ☐ Other: _____

DOMESTIC VIOLENCE NO CONTACT ORDER

Court (white)

Protected Party (green)

Law Enforcement Agency (canary)

Defendant (blue)

Page 1 of 2

(updated November 2, 2009)

Additional page 2 of 31

Appendix D

Sep. 19. 2014 7:30AM Bremerton Police-Detectives

No. 6850 P. 5

No. 50163708

G. ☒ (Special Assistance from Law Enforcement Agencies) The law enforcement agency where the protected person lives shall standby for a limited period of time while the defendant removes essential personal property at the protected person's residence. Personal property shall be limited to defendant's personal effects, personal clothing and tools of the trade.

H. ☒ All previous Domestic Violence No Contact Orders issued under this cause number concerning the protected person identified in section 1, if any, are hereby rescinded.

WARNINGS TO THE DEFENDANT: Violation of the provisions of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony.

Willful violation of this order is punishable under RCW 26.50.110. Violation of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if the defendant has at least 2 previous convictions for violating a protection order issued under Titles 10, 26 or 74.

If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, the defendant may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

In addition to the state and federal prohibitions against possessing a firearm upon conviction of a felony or a qualifying misdemeanor, upon the court issuing a no-contact order after a hearing at which the defendant had an opportunity to participate, the defendant, if a spouse or former spouse, a parent of a common child, or a current or former cohabitant as intimate partner of a person protected by this order, may not possess a firearm or ammunition for as long as the no-contact order is in effect. 18 U.S.C. § 922(g). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1). If the defendant is convicted of an offense of domestic violence, the defendant will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9A.1.040.

YOU CAN BE ARRESTED EVEN IF THE PROTECTED PERSON INVITES OR ALLOWS YOU TO VIOLATE THE ORDER'S PROHIBITIONS. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

IT IS FURTHER ORDERED THAT the clerk of the court shall forward a copy of this order on or before the next judicial day to:
☐ Bainbridge Island Police Department ☒ Bremerton Police Department ☐ Kitsap County Sheriff's Office
☐ Port Orchard Police Department ☐ Poulsbo Police Department ☐ Other: _____
 where the above-named protected person lives, which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.

THIS NO-CONTACT ORDER ☐ expires two (2) years from today's date ☒ expires on 9/4/19. If no date is provided in the preceding sentence, this order shall expire two years from today's date.

DONE IN OPEN COURT this 9th day of September 2014

I have read or have had read to me and understand the contents of this order, and have received a copy.

Brian R. K.
 DEFENDANT

J. Lock
 JUDGE

DEPUTY PROSECUTING ATTORNEY
 WSBA No. _____

ATTORNEY FOR DEFENDANT
 WSBA No. _____

PROTECTED PERSON

DOMESTIC VIOLENCE NO CONTACT ORDER

Court (white) Protected Party (green) Law Enforcement Agency (canary) Defendant (blue)

Page 2 of 2
 (updated November 2, 2009)

Additional Page 21 of 31

Appendix D

IN THE KITSAP COUNTY DISTRICT COURT

STATE OF WASHINGTON,

Plaintiff,

v.

DANIEL LEE ROUSE,
Age: 51; DOB: 01/26/1963,

Defendant.

No. 17051409P

CERTIFICATION FOR DETERMINATION
OF PROBABLE CAUSE

I, CAMI G. LEWIS, WSBA NO. 30568, am a Deputy Prosecuting Attorney for the Kitsap County Prosecuting Attorney's Office. I am familiar with the police report(s) and investigation conducted in this matter which contain the following upon which the motion for the determination of probable cause is made—

According to the Defendant's criminal history, he has at least twice been convicted of Violation of a Court Order.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: September 19, 2014
PLACE: Port Orchard, WA

STATE OF WASHINGTON

CAMI G. LEWIS, WSBA NO. 30568
Deputy Prosecuting Attorney

Prosecutor's File Number—14-170514-9

CERTIFICATION FOR PROBABLE CAUSE; Page 1 of 1



Russell D. Hauge, Prosecuting Attorney
Special Assault Unit
614 Division Street, MS-35
Port Orchard, WA 98366-4681
(360) 337-7148; Fax (360) 337-4949
www.kitsapgov.com/pros

Additional Page 22 of 31

APPENDIX-E

Appendix E

RECEIVED FOR FILING
KITSAP COUNTY CLERK

OCT 16 2014

DAVID W. PETERSON

IN THE KITSAP COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

Plaintiff,

v.

DANIEL LEE ROUSE,
Age: 51; DOB: 01/26/1963,

Defendant.

No. 14 1 01023 9

INFORMATION

(Total Counts Filed - 1)

COMES NOW the Plaintiff, STATE OF WASHINGTON, by and through its attorney, KELLIE L. PENDRAS, WSBA NO. 34155, Deputy Prosecuting Attorney, and hereby alleges that contrary to the form, force and effect of the ordinances and/or statutes in such cases made and provided, and against the peace and dignity of the STATE OF WASHINGTON, the above-named Defendant did commit the following offense(s)-

Count I

Violation of a Court Order [Felony]

On or about September 18, 2014, in the County of Kitsap, State of Washington, the above-named Defendant, with knowledge that the Bremerton Municipal Court had previously issued a foreign protection order, protection order, restraining order, no contact order, or vulnerable adult order pursuant to municipal code in Cause No. 50163708, did violate said order by knowingly violating the restraint provisions therein, and/or by knowingly violating a provision excluding him or her from a residence, a workplace, a school or a daycare, and/or by knowingly coming within, or knowingly remaining within, a specified distance of a location, and/or by

CHARGING DOCUMENT; Page 1 of 4



Russell D. Hauge, Prosecuting Attorney
Special Assault Unit
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Port Orchard, WA 98366-4681
(360) 337-7148; Fax (360) 337-4949
www.kitsapgov.com/pros

Additional Page 23 of 31

Appendix E

1 knowingly violating a provision of a foreign protection order for which a violation is specifically
2 indicated to be a crime; and furthermore, the Defendant did have at least two prior convictions for
3 violating the provisions of a court order issued under Chapter 10.99, 26.09, 26.10, 26.26, 26.50,
4 26.52, and/or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020;
5 contrary to Revised Code of Washington 26.50.110.

6 (MAXIMUM PENALTY-Five (5) year in imprisonment and/or \$10,000 fine, pursuant to RCW
7 26.50.110(5) and RCW 9A.20.021(1)(c), plus restitution, assessments and court costs.)

8 JIS Code: 26.50.110.5 Protection Order Vio/Over 2 Conv

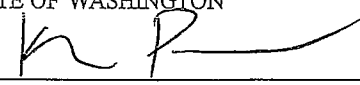
Special Allegation-Domestic Violence

10 AND FURTHERMORE, the Defendant did commit the above crime against a family or
11 household member; contrary to Revised Code of Washington 10.99.020. "Family or household
12 members" means spouses, former spouses, persons who have a child in common regardless of
13 whether they have been married or have lived together at any time, adult persons related by blood
14 or marriage, adult persons who are presently residing together or who have resided together in the
15 past, persons sixteen years of age or older who are presently residing together or who have
16 resided together in the past and who have or have had a dating relationship, persons sixteen years
17 of age or older with whom a person sixteen years of age or older has or has had a dating
18 relationship, and persons who have a biological or legal parent-child relationship, including
19 stepparents and stepchildren and grandparents and grandchildren.
20

21 I certify (or declare) under penalty of perjury under the laws of the State of Washington
22 that I have probable cause to believe that the above-named Defendant committed the above
23 offense(s), and that the foregoing is true and correct to the best of my knowledge, information and
24 belief.

25 DATED: September 23, 2014
26 PLACE: Port Orchard, WA

STATE OF WASHINGTON


KELLIE L. PENDRAS, WSBA No. 34155
Deputy Prosecuting Attorney

29 All suspects associated with this incident are-

31 Daniel Lee Rouse

CHARGING DOCUMENT; Page 2 of 4



Russell D. Hauge, Prosecuting Attorney
Special Assault Unit
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Additional page 29 of 31

Appendix E

DEFENDANT IDENTIFICATION INFORMATION

DANIEL LEE ROUSE
1223 11th Street #3
Bremerton, Wa 98337

Alias Name(s), Date(s) of Birth, and SS Number

Daniel Lee Bauer, 01/26/1963
Daniel Nmi Rouse, 01/26/1963
Daniel Lee Use, 01/26/1963
Daniell Nmi Use, 01/26/1963
Daniell Nmi Bauer, 01/26/1963
Dan Nmi Rouse, 01/26/1963
Daniel L. Rousse, 01/26/1963

[Address source-Pursuant to CrRLJ/CrR 2.2, Complainant has attempted to ascertain the Defendant's current address by searching the Judicial Information System (JIS formerly called DISCIS) database, Department of Licensing abstract of driving record, Department of Corrections Felony Offender Reporting System, Kitsap County Jail records and law enforcement report]

Race: White Sex: Male DOB: 01/26/1963 Age: 51
D/L: ROUSEDL377B6 D/L State: Washington SID: WA13039196 Height: 508
Weight: 200 JUVIS: Unknown Eyes: Hazel Hair: Brown
DOC: Unknown FBI: 86727CA3

LAW ENFORCEMENT INFORMATION

Incident Location: 1223 11th Street, Bremerton, WA 98312

Law Enforcement Report No.: 2014BP007825

Law Enforcement Filing Officer: Kent A. Mayfield, 442

Law Enforcement Agency: Bremerton Police Department - WA0180100

Court: Kitsap County Superior Court, WA018015J

Motor Vehicle Involved? No

Domestic Violence Charge(s)? Yes

Law Enforcement Bail Amount? [Bail]

CLERK ACTION REQUIRED

In Custody

Appearance Date If Applicable: [PROMISE TO APPEAR]

PROSECUTOR DISTRIBUTION INFORMATION

Superior Court	District & Municipal Court
Original Charging Document- Original +2 copies to Clerk 1 copy to file	Original Charging Document- Electronically filed with the Clerk Original +1 copy to file
Amended Charging Document(s)- Original +2 copies to Clerk 1 copy to file	Amended Charging Document(s)- Electronically filed with the Clerk Original +2 copies to file

CHARGING DOCUMENT; Page 3 of 4



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Additional Page 25 of 31

~~Addition~~ Appendix E

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1 copy to file

Prosecutor's File Number-14-170514-9

CHARGING DOCUMENT; Page 4 of 4



Russell D. Hauge, Prosecuting Attorney
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Additional Page 26 of 31

~~Additional~~
Appendix E

IN THE KITSAP COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

Plaintiff,

v.

DANIEL LEE ROUSE,
Age: 51; DOB: 01/26/1963,

Defendant.

No.

CERTIFICATION FOR DETERMINATION
OF PROBABLE CAUSE

I, CAMI G. LEWIS, WSBA No. 30568, am a Deputy Prosecuting Attorney for the Kitsap County Prosecuting Attorney's Office. I am familiar with the police report(s) and investigation conducted in this matter which contain the following upon which the motion for the determination of probable cause is made—

According to the Defendant's criminal history, he has at least twice been convicted of Violation of a Court Order.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: September 19, 2014
PLACE: Port Orchard, WA

STATE OF WASHINGTON



CAMI G. LEWIS, WSBA No. 30568

Deputy Prosecuting Attorney

Prosecutor's File Number—14-170514-9

CERTIFICATION FOR PROBABLE CAUSE; Page 1 of 1



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Addition Page 270 f31

Sep. 19. 2014 7:30AM

Bremerton Police-Detectives

No. 6850 P. 2

Appendix E Incident / Investigation Report

OCA: B14-007825

Bremerton Police Dept

OTHERS INVOLVED

CODES: DE-Deceased, DR-Driver, MN-Mentioned, MP-Missing Person, OT-Other, OW-Owner, PA-Passenger, PT-Parent/Guardian, RA-Runaway, RO-Registered Owner, RP-Reporting Party, VI-Victim					
Code	Name (Last, First, Middle)	Victim of Crime #	Age / DOB	Race	Sex
Home Address		Home Phone	Cell Phone		
Employer Name/Address		Business Phone			
Code	Name (Last, First, Middle)	Victim of Crime #	Age / DOB	Race	Sex
Home Address		Home Phone	Cell Phone		
Employer Name/Address		Business Phone			

On 09/18/2014 at about 0121 hours Kimball-Rouse reported that Daniel Rouse (her husband) violated a no contact order by contacting her at 1223 11th Street apartment three and left on foot through her back yard to 10th Street.

On 09/18/2014 at about 0122 hours Cencom dispatched the call.

On 09/18/2014 at about 0124 hours I met Mandala standing on her porch next door to 1223 11th Street (1221 11th Street). Mandala said she was awakened by Kimball-Rouse and Daniel Rouse yelling at each other. Mandala said Daniel Rouse was wearing all dark clothing and ran into the backyard towards 10th Street.

I met Kimball-Rouse at her apartment. She said that Daniel Rouse knocked on her door and wanted her to let him inside. She refused and was calling 911 and he left on foot into the back yard.

Kimball-Rouse described Daniel as wearing a dark coat with a black hooded sweatshirt under it and blue jeans shorts and black tennis shoes.

I confirmed there is a valid served Bremerton Municipal Court no contact order number 50163708 prohibiting Daniel Rouse from contacting in any way or coming within 500 feet of Kimball-Rouse's residence.

I could not locate Daniel Rouse.

Kimball-Rouse has no idea where Daniel Rouse is staying or would go. They have recently been evicted from 1223 11th Street number three.

I could see Kimball-Rouse had thrown all of Daniel Rouse's power tools out in the yard. She did not tell me this, but had told the dispatcher this was why he was there and angry with her.

There is probable cause to arrest Daniel Rouse for violation of a no contact order.

I request report to city attorney for charging.

Printed at: 9/18/2014 05:32

Page: 2

Additional page 28 of 31

Appendix E

Sep. 19. 2014 7:30AM UND Bremerton Police-Detectives THE LAWS OF THE STATE No. 6850 P. 3

THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

[Signature] 442 (09/18/14) 0545 haw

(Signature, Date)

(442) MAYFIELD, KENT A
KITSAP COUNTY, WA

B14-007825

BREMERTON MUNICIPAL COURT
 KITSAP COUNTY WASHINGTON

Mailing Address: 550 Park Ave.
 Bremerton, WA 98337

City of Bremerton,

Plaintiff,

Daniel Lee Rouse
 Defendant.

No.

50163708

DOMESTIC VIOLENCE NO CONTACT ORDER

- ☐ Pre-Trial
☐ Order Modifying Pre-Trial Order
☒ Post Conviction
☐ Order Modifying Post Conviction Order
☐ Order Rescinding No Contact Order
 (Clerk's Action Required)

1. Based upon the certificate of probable cause and/or other documents contained in the case record, testimony, and the statements of counsel, the court finds that the defendant has been charged with, arrested for, or convicted of a domestic violence offense, and further finds that to prevent possible recurrence of violence, this Domestic Violence No-Contact Order shall be entered pursuant to chapter 10.99 RCW. This order protects:

Renee Kimball Rouse
 (Protected person's name, or if a minor initials and DOB) [Only one protected person per order]

2. The court further finds that the defendant's relationship to the person protected by this order is:

- ☒ current or former spouse
☐ parent of a child in common regardless of whether they have been married or have lived together at any time
☐ adult persons related by blood or marriage
☐ adult persons who are presently residing together or who have resided together in the past
☐ persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship
☐ persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship
☐ persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren
☐ current or former cohabitant as intimate partner
☐ current or former cohabitant as roommate

IT IS ORDERED THAT THE DEFENDANT IS PROHIBITED FROM:

- A. Causing or attempting to cause physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking the protected person.
 B. Coming near and from having any contact whatsoever, in person or through others, by phone, mail or any means, directly or indirectly, except for mailing service of process of court documents by a third party or contact by defendant's lawyers with the protected person(s), other than:
 C. Entering or knowingly coming within or knowingly remaining within 250 feet of the protected person's residence, school, workplace, daycare, and

D. ☐ Obtaining or possessing a firearm, other dangerous weapon or concealed pistol license. (Pretrial Order)

The court makes the following findings pursuant to RCW 9A.1.800 by a preponderance of the evidence:

- ☐ the defendant used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or
☐ the defendant previously committed an offense that makes him or her ineligible to possess a firearm under the provisions of RCW 9A.1.040, or
☐ possession of a firearm or other dangerous weapon by the defendant presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

E. ☒ Obtaining, owning, possessing or controlling a firearm. (Conviction of offense listed in RCW 9A.1.040(2)).

IT IS FURTHER ORDERED THAT:

F. ☒ The defendant shall immediately surrender all firearms and other dangerous weapons within the defendant's possession or control and any concealed pistol license to: ☐ Bainbridge Island Police Department
☒ Bremerton Police Department ☐ Kitsap County Sheriff's Office ☐ Port Orchard Police Department
☐ Poulsbo Police Department ☐ Other: _____.

DOMESTIC VIOLENCE NO CONTACT ORDER

Court (white)

Protected Party (green)

Law Enforcement Agency (canary)

Defendant (blue)

Page 1 of 2
 (updated November 2, 2009)

Additional Page 30 of 31

G. ☒ (Special Assistance from Law Enforcement Agencies) The law enforcement agency where the protected person lives shall standby for a limited period of time while the defendant removes essential personal property at the protected person's residence. Personal property shall be limited to defendant's personal effects, personal clothing and tools of the trade.

H. ☒ All previous Domestic Violence No Contact Orders issued under this cause number concerning the protected person identified in section 1, if any, are hereby rescinded.

WARNINGS TO THE DEFENDANT: Violation of the provisions of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony.

Willful violation of this order is punishable under RCW 26.50.110. Violation of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if the defendant has at least 2 previous convictions for violating a protection order issued under Titles 10, 26 or 74.

If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, the defendant may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

In addition to the state and federal prohibitions against possessing a firearm upon conviction of a felony or a qualifying misdemeanor, upon the court issuing a no-contact order after a hearing at which the defendant had an opportunity to participate, the defendant, if a spouse or former spouse, a parent of a common child, or a current or former cohabitant as intimate partner of a person protected by this order, may not possess a firearm or ammunition for as long as the no-contact order is in effect. 18 U.S.C. § 922(g). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 922(a)(1). If the defendant is convicted of an offense of domestic violence, the defendant will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9A.10.040.

YOU CAN BE ARRESTED EVEN IF THE PROTECTED PERSON INVITES OR ALLOWS YOU TO VIOLATE THE ORDER'S PROHIBITIONS. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

IT IS FURTHER ORDERED THAT the clerk of the court shall forward a copy of this order on or before the next judicial day to:
☐ Bainbridge Island Police Department ☒ Bremerton Police Department ☐ Kitsap County Sheriff's Office
☐ Port Orchard Police Department ☐ Poulsbo Police Department ☐ Other: _____
 where the above-named protected person lives, which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.

THIS NO CONTACT ORDER ☐ expires two (2) years from today's date ☒ expires on 9/4/19. If no date is provided in the preceding sentence, this order shall expire two years from today's date.

DONE IN OPEN COURT this 9th day of September 2014

I have read or have had read to me and understand the contents of this order, and have received a copy.

[Signature]
 DEFENDANT

[Signature]
 JUDGE

DEPUTY PROSECUTING ATTORNEY
 WSBA No. _____

ATTORNEY FOR DEFENDANT
 WSBA No. _____

PROTECTED PERSON

DECLARATION OF MAILING

GR 3.1

I, Daniel Ronsz on the below date, placed in the U.S. Mail, postage prepaid, _____ envelope(s) addressed to the below listed individual(s):

Tina Robinson

Kitsap County

prosecuting Atty

614 Division St

Port Orchard Wa. 98366

Court of Appeals Div. II

950 Broadway

Tacoma Wa. 985402

Nancy Collins

Washington Appellate Project

1511 3rd Ave. Ste. 701

Seattle Wa. 98101

I am a prisoner confined in the Washington Department of Corrections ("DOC"), housed at the Coyote Ridge Correctional Complex ("CRCC"), 1301 N. Ephrata Avenue, Post Office Box 769, Connell, WA 99326-0769, where I mailed said envelope(s) in accordance with DOC and CRCC Policies 450.100 and 590.500. The said mailing was witnessed by one or more staff and contained the below-listed documents.

1. State ment of Additional grounds

2. _____

3. _____

4. _____

5. _____

6. _____

I hereby invoke the "Mail Box Rule" set forth in General Rule ("GR") 3.1, and hereby declare under penalty of perjury under the laws of the State of Washington that the forgoing is true and correct.

DATED this 4 day of April, 2016, at Connell WA.

Signature Daniel Ronsz